

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (DCBN 412811)
Chief, Criminal Division

THOMAS M. NEWMAN (NYBN 4256187)
Assistant United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-6888

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR-09-cr-149-MMC
Plaintiff,) ORDER RE
v.) STIPULATION TO HEARING
MICHAEL CHEN,) AND TO EXCLUDE TIME
Defendant.)

On April 7, 2011, the court entered a briefing schedule related to the defendant's amended motion to suppress. The defendant filed his amended motion on May 11, 2011, and the matter is set for hearing on June 8, 2011. Since about May 12 or 13, 2011, counsel for the United States, Blake Stamm, has been seriously ill, and was scheduled for surgery at some time during the week of May 16, 2011. The parties now request that the Court continue the date for the hearing on the defendant's amended motion to suppress until June 29, 2011. The parties further stipulate that the period of time from June 8, 2011, until June 29, 2011, shall be excluded from the time limits applicable under 18 U.S.C. § 3161 pursuant to §3161(h)(1)(D).

1 Respectfully submitted,

2 MELINDA HAAG
3 United States Attorney

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5 Dated: May 19, 2011

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7 */s/Thomas M. Newman*
8 THOMAS M. NEWMAN
9 Assistant United States Attorney
10 Tax Division

11 Dated: May 19, 2011

12 */s/*
13 Alan A. Dressler
14 Attorney for Defendant

15 **ORDER**

16 For the reasons stated above, the Court finds that the continuance of time for the
17 hearing on the defendant's amended motion to suppress is warranted and the period from June 8,
18 2011, until June 29, 2011, shall be excluded from the time limits applicable under 18 U.S.C. §
19 3161 pursuant to §3161(h)(1)(D).

20 Dated: May 20, 2011

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22 MAXINE M. CHESNEY
23 United States District Court Judge